

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

LESLIE MORGAN WOOD

PLAINTIFF

V.

CIVIL ACTION NO. 4:21-cv-166-DAS

COAHOMA COUNTY, MISSISSIPPI

DEFENDANT

ORDER DENYING MOTION TO COMPEL

On March 24, 2023, the plaintiff Leslie Morgan Wood filed a Motion to Compel Mary Leigh Borgognoni to Obey Subpoena Duces Tecum or, in the Alternative, for Civil Contempt. Docket 120. The motion explains that on March 12, 2023, the plaintiff served Ms. Borgognoni with a subpoena duces tecum requesting “all text messages and recordings in your possession between you and Derrell Washington regarding Tracey Vance.” When Ms. Borgognoni did not produce the requested documents or file a motion to quash, the plaintiff filed the instant motion.

On May 1, 2023, the court issued a show cause order directing Ms. Borgognoni to explain why the plaintiff’s motion to compel should not be granted and show cause why she should not be found in civil contempt, as requested in the plaintiff’s motion to compel. Docket 136. The court’s show cause order was set for hearing on June 12, 2023. Docket 137. The show cause order and notice of hearing were served on Ms. Borgognoni by the U.S. Marshal on May 22, 2023. Docket 143.

On June 12, 2023, counsel for the parties and Ms. Borgognoni appeared before the court, and Ms. Borgognoni offered testimony with regard to the subpoena duces tecum. Ms. Borgognoni testified that she had produced all text messages and recordings in her possession as requested in the subpoena duces tecum and that she possessed nothing further that had not been produced to counsel for the plaintiff.

Accordingly, the Motion to Compel is **DENIED**. The court finds no basis for holding Ms. Borgognoni in civil contempt, and the plaintiff's alternative request for such relief is similarly **DENIED**.

SO ORDERED, this the 13th day of June, 2023.

/s/ David A. Sanders

UNITED STATES MAGISTRATE JUDGE